

The present invention relates to a method for inhibiting the amount of body weight gained after eating, by feeding an animal an effective amount of an antibody that binds to the lipase enzyme.

Claims 1-9 are rejected under 35 USC §103(a) over Cook et al in view of Leclercq et al.

The preamble of Claim 1 has been amended in response to the Examiner's argument in part 3(a) of the Official Action, thereby clarifying the language.

As noted in the Interview Summary Record, the mode of administering of an antibody is important. Leclercq et al discloses an anti-lipase antibody, but does not use it to inhibit fat absorption or digestion in the gut. It is used to inhibit fat uptake into cells. The antibody of Leclercq et al is injected, and says nothing about absorption of fat which the animal has eaten, from the gut. Furthermore, the present invention has no direct effect on lipid uptake of cells. Rather, by feeding the animal anti-lipase antibodies, the amount of fat digested and absorbed from the food is reduced, without effecting the body's lipid composition. Leclercq et al is changing the lipid composition and has no effect on fat digestion. Even though both processes use anti-lipase antibodies, they produce different end results.

Cook et al discloses animal feed containing antibodies, but these generically include any type of antibody "which can alter physiological processes that adversely effect growth and feed efficiency" (column 3, lines 5-7). Cook et al did not suggest anything about antibodies that bind to lipase. The rejection is simply a blanket rejection of all claims that involve feeding antibodies which "alter physiological process". There is no reasonable expectation of success based on the mere combination of an animal feed containing antibodies in general and an intravenous injection of anti-lipase antibody for a different

purpose. Accordingly, the present invention would not have been obvious within the meaning of 35 USC §103.

Applicants submit that the case is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

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1. (Twice Amended) A method for inhibiting the amount of body weight [gain] gained after eating, comprising: feeding to an animal an effective amount of a liposome-encapsulated immunoglobulin against lipase.